

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:04CR3061
)	
Plaintiff,)	
)	MEMORANDUM
vs.)	AND ORDER
)	
KENNETH SLOMINSKI and)	
ROGER RIKLI,)	
)	
Defendants.)	

This matter is before the court on the Magistrate Judge's Recommendation (filing 42) that the defendants' motions to dismiss (filings 35 & 36) be denied. The defendants have objected (filing 49) to the Recommendation pursuant to 28 U.S.C. § 636(b)(1)(C) and NECrimR 57.3. After a de novo review of the Magistrate Judge's Recommendation pursuant to 28 U.S.C. § 636(b)(1) and NECrimR 57.3, and for the reasons carefully and correctly articulated in his Report and Recommendation, I conclude that the Magistrate Judge's Recommendation should be adopted and the defendants' motions to dismiss be denied.

Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's Recommendation (filing 42) is adopted;
2. The defendants' objection (filing 49) to the Recommendation is denied;
3. The defendants' motions to dismiss (filings 35 & 36) are denied; and
4. The Clerk of Court shall provide a copy of this Memorandum and Order

to the assigned Magistrate Judge.

September 1, 2005.

BY THE COURT:
s/Richard G. Kopf
United States District Judge